

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

CAPWEALTH ADVISORS, LLC,

Plaintiff,

v.

TWIN CITY FIRE INSURANCE CO.,

Defendant.

No.: 3:21-cv-00036

Judge Eli J. Richardson

Mag. Judge Barbara D. Holmes

JURY DEMAND

JOINT REPORT

In accordance with Section F of the Initial Case Management Order (Dkt. 21), the parties submit the following joint report:

1. Counsel met remotely on July 7, 2021 in a good faith effort to resolve this case by agreement. The case was not resolved.

2. The parties discussed their mutual positions and agreed that the principal issue in this case, whether the Policy provides coverage for the SEC Investigation and Complaint, is likely to be susceptible to resolution on summary judgment. The parties agreed to cooperate in the expeditious exchange of any information necessary to the filing of cross-motions for summary judgment to present this issue to Judge Richardson.

3. If the case is not fully resolved on summary judgment, the parties believe that a ruling nonetheless would be likely to narrow and clarify the issues in the case such that the parties would be able to reach a negotiated resolution in an efficient manner. But if the case is not resolved, the parties will participate in a

formal mediation before a Rule 31 mediator or another mutually-agreed mediator on or before March 31, 2022.

Respectfully Submitted:

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